

Maryland Gazette.

ANNAPOLIS, THURSDAY, MARCH 8, 1827.

No. 0.]

[VOL. LXXXII.]

PRINTED AND PUBLISHED
BY
JONAS GREEN,
CHURCH-STREET, ANNAPOLIS.
Price—Three Dollars per annum.

Wednesday, 14th March,
will be drawn in Baltimore, the brilliant
Grand State
Lottery
OF
Maryland,
NUMBER TEN:
containing for a capital prize, the
handsome sum of
10,000 Dollars.
Tickets only three Dollars.
The holder of no tickets or two
shares is certain of obtaining at least
the prize, and may draw three.
SCHEME.
1 prize of \$10,000 is \$10,000
1 do 5,000 is 5,000
5 do 1,000 is 5,000
5 do 500 is 2,000
20 do 100 is 2,000
40 do 50 is 2,000
100 do 20 is 2,000
100 do 10 is 1,000
200 do 5 is 1,000
300 do 2 is 30,000
4,471 prizes—14,529 blanks—60,000
Dollars.
PRIZE OF TICKETS:
Whole ticket \$3—Half \$1 50—
Quarters 75
Tickets and shares, in all their va-
riety, may be had at
THOMAS SWANN'S OFFICE,
Annapolis, Feb 21, 1827.
Orders from any part of the Unit-
ed States, either by mail, post paid,
or private conveyance, enclosing the
cash or prize tickets in any of the lot-
teries will meet the same prompt and
punctual attention as if on personal
application—address
THOMAS SWANN, Annapolis.
Feb 22.

Notice.
The subscriber having obtained
from the Orphans' Court of Anne Ar-
undel county, letters of administration
on the personal estate of
Brewer, deceased, all persons hav-
ing claims against the said estate
are requested to present them to him
personally, and all persons in-
debted to said estate to make im-
mediate payment.
Nicholas Brewer, Jr. Adm'r.
Feb 15.

Champagne Wine
AND
Brandy,
Just received, and will be sold at
BALTIMORE PRICES.
Also,
Butter, Whiskey, Raisins, Al-
monds, Coffee & Candles,
FOR SALE BY
F. S. LITIG,
February 15.

For Sale or Rent,
VALUABLE CITY PROPERTY.
The Subscriber offers for
Sale or Rent, the House and
Lot, opposite the Dock, now
occupied by him. The dwelling is
large and commodious; the Store one
of the best stands for business in the
city. For terms apply to
Richard Ridgely
Feb 22.

Chancery Sale.
By virtue of a decree of the Chan-
cellor of Maryland, the subscribers
do expose to public sale, at James
Unter's tavern, in the city of An-
napolis, on Friday, the 23d day of
March next, the following property,
to wit: The houses and lot, in Prince
George's street, now in the occupa-
tion of John Smith, senior, appearing
in the plat of said city as No. 95.
Heretofore conveyed to said Smith by
John and David Ridgely; also all the
houses and lot on Church street
marked on said plat as part of lot
No. 27, and heretofore conveyed to
said Smith by Samuel Ridout and
John Randall; also one cart and two
horses. Terms of sale cash. Upon
ratification of the sale by the
chancellor, and the full payment of
the purchase money, and not before.
The trustees are authorized to give
bids.
Richard Harwood, Trustees
of Thos.
H. H. Harwood
March 1, 1827.

DECISIONS
OF THE
Court of Appeals of Maryland.
PUBLISHED
By Subscription.
THE DECISIONS
OF THE
COURT OF APPEALS OF
MARYLAND,
To be Reported by Thomas Har-
wood, Esquire, Clerk of the Court of Ap-
peals, and Beverly Johnson,
Esquire, Attorney at Law.
These Decisions will form a con-
tinuation of the first volume of Reports
already published by Messrs. Har-
wood and Johnson, which closes with the
year 1805. It is proposed to publish
the Decisions in a series of octavo
volumes, each to contain not less than
one hundred and twenty five pages, and
to consist of a volume. The
last number of each volume will con-
tain a full and complete index. The
mode of publication, it is conceived,
possesses advantages which give
decided preference to that of publish-
ing the Reports in bulky volumes.
The Reports, as published, are
expensive, and are not more than
the expenses will not be repaid.

Sheriff's Sale.
By virtue of a writ of fieri facias
issued out of Anne Arundel county
court, and to be directed against the
goods and chattels, lands and tenements,
of Nancy Sewell, at suit of So-
phieville Pinkney, ex'r. of William
Pinkney, I have seized and taken
in execution, all that tract or part of
tract or parcel of land, called A Part of
Mount Ville, containing eighty seven
acres of land, more or less, and on
Thursday the 22d day of March, inst.
at the court house in the city of An-
napolis, I shall proceed to sell the said
land to the highest bidder, for cash,
to satisfy the debt due as aforesaid.
Sale to commence at 10 o'clock A. M.
R. Welch, of Ben. Shif-
A. A. County.
March 1.

PROCEEDINGS OF THE LEGISLATURE OF MARYLAND. HOUSE OF DELEGATES.

WEDNESDAY, February 28, 1827.
The bills, passed by this house yesterday, of the follow-
ing titles, were sent to the senate for their concurrence
therein, to wit.
An act to revive and extend the provisions of an act to
provide for the appointment of commissioners for the regu-
lation and improvement of Salisbury, in Somerset and
Worcester counties.
An act for the relief of Aquila Beall and Trueman Ty-
ler, of Prince-George's county.
An act relating to certain property of Rebecca Smith,
of Baltimore county.
An act to authorise the securities of Charles Jones, late
sheriff and collector of Somerset county, to collect bal-
ances due him.
An act to prevent the going at large of swine in the
town of Rockville, in Montgomery county.
An act for the improvement of the town of Rockville,
in Montgomery county.

THURSDAY, March 1, 1827.
The house met. Were present, the same members as on
yesterday. The proceedings of yesterday were read.
On motion by Mr. Winchester, seconded by Messrs.
Lindsay and Price, who were in the majority on the
question, the house agreed to reconsider their vote of yester-
day, concurring in the report of the committee to whom
was referred the petition of Alexander Nisbet, administra-
tor de bonis non of Thomas Cockey Deye, late of Balti-
more county, deceased, and assenting to the accompany-
ing resolutions.
The resolution and bills, passed by this house yesterday,
of the following titles, were sent to the senate for their
concurrence therein, to wit.
A resolution for the suspension of proceedings on cer-
tain judgments obtained by the state against Thomas Os-
bourne, late sheriff of Prince-George's county, and his
securities.
An act to rebuild or repair a bridge at Federalsburgh,
between Dorchester and Caroline counties.
An act to provide for completing the records in the of-
fice of register of wills for Charles county.
An act to facilitate the collection of taxes due upon lands,
in Charles county, belonging to non-resident proprietors.
An act to appoint a trustee for the purposes therein men-
tioned.
An act for the establishment of a road, and the condem-
nation of land for its repair, in Kent county.
An act to incorporate the Vulcan Furnace Company of
Baltimore.
An act to provide for the building of a bridge over the Pa-
tapsco Falls, at or near the Thistle Factory.
An act supplementary to an act incorporating a company to
introduce a copious supply of water into the town of Emmits-
burgh, in Frederick county.
An act for the relief of Martin Fenwick, of Anne-Arundel
county.
An act to authorise the moderator and commissioners of Ha-
gerstown to levy the sum of three hundred dollars, for certain
purposes.

FRIDAY, March 2, 1827.
Penitentiary of Maryland.
Mr. Barnes, as chairman of the committee on the part of this
house, from the joint committee therein mentioned, submitted
the following report, to wit.
The joint committee of the senate and house of delegates,
appointed to visit the penitentiary of Maryland, for the purpose
of making a further investigation of the state and condition, and
to examine into the accounts and police of said institution, and
also to inquire into the state, condition and management of the
Baltimore Hospital, and whether any, and what further legal
provisions are necessary to secure its proper regulation, and pro-
mote its utility to the public, report—
That as soon as a convenient opportunity presented itself, the
committee repaired to the city of Baltimore, and the day after
their arrival visited the penitentiary, where in company of some
of the directors who politely attended to receive them, they en-
tered upon the investigation, and examined the establishment
with attention. The committee in general concur in the views,
and confirm the representations which have been made by the
committee appointed by the executive during the recess of the
general assembly, whose able report, with the accompanying docu-
ments, furnish ample information with respect to many details
respecting the accounts and police of the institution, which the
joint committee both confirm and approve. But as there are
some particulars of which the general assembly should be inform-
ed, before any legislation on the subject shall take place, it is
deemed proper to present a few facts and remarks for their con-
sideration.
The primary objects of the penitentiary are the punish-
ment and the reform of criminals.—If these objects can be
attained, and the institution made to defray all or nearly
all of its expenses, every wish of its founders must be grati-
fied. But it is conceived, that the efforts made to render
the capital vested in it productive, should be subordinate
to those directed to the reformation of the wretched beings
confined within its limits. It appeared to the committee
that sufficient attention has not been paid to the classifica-
tion of the criminals—Young and old, black and white
males, are congregated together in the manufactories, and
through the white and coloured may be separated, associ-
ated together in the dormitories at night. It is unnecessary
to remark, that by this arrangement, the novice, or
youthful offender, will soon attain the highest degree of
theoretical proficiency in depravity, and be prepared to
reduce it to practice when discharged. To obviate in part
the evils resulting from this state of things, the committee
warmly approve of the recommendation of the report be-
fore alluded to, that the buildings be enlarged, so as to
multiply the solitary cells, and enable the keeper to make
trial, on a larger scale, of the system for the reformation

of criminals, which the experience of some of our sister
states has found effectual. It is expected that the directors
will in a few days, furnish a plan and estimate of the ex-
tent and probable cost of the addition proposed. It is re-
commended that the act, entitled, "A further and an addi-
tional supplement to an act concerning crimes and punish-
ments," passed at December session 1825, chapter 93, be
repealed, and that the courts, in their discretion, be au-
thorised to sentence coloured persons to confinement in the
penitentiary for a term not less than five years, because the
time of one year appears to be too short to enable the crimi-
nal to acquire a knowledge of any trade by which, when
discharged, he may acquire a livelihood, and which would
remove the temptation to again having recourse to depreda-
tion for a subsistence; and in the event of transportation
being superadded to his confinement in the penitentiary, he
may have an opportunity not only of obtaining a support,
but retrieving the loss of character in his new situation.
It appears from a review of the proceedings of the direc-
tors for the last year, that they have adopted the regulation
in the third recommendation in the report of the commit-
tee named by the executive, that two members of the
board should be appointed as a superintending committee,
to manage purchases, sales, &c. and have assigned to them
salaries at the rate of eight hundred dollars each per an-
num. It is also understood, that a store house, for the
sale of the manufactures if the establishment, has been rented
at a salary of eight hundred dollars, with a boy at a salary
of one hundred dollars, to take charge of the store. It
is the opinion of the committee, that by this arrangement
an unnecessary expense is incurred, and that a competent
person employed to take charge of the store, with a salary
of eight hundred dollars, and a clerk at three hundred dol-
lars, would be fully competent to the task of making all
necessary purchases and sales, and performing the particu-
lar duties assigned to the superintending committee. It is
further suggested, that the present number of directors be
continued, and that two of the directors serve in rotation
as a visiting committee for one or two months; that the vis-
iting committee attend three days in every week, and be
allowed for each day's attendance — per day, and that
they perform the ordinary duties of the board of directors,
and keep a journal of their proceedings, subject, however,
to the control of a majority of the board, which shall as-
semble one month for the performance of their duties. It
should be incumbent on the visiting committee to advertise
for proposals for furnishing all requisite supplies of raw
materials or manufactures, for the use of the establishment.
The committee also recommend, that the board of direc-
tors be invested with corporate powers, and be authorised
to borrow, on the credit of the state, a sum not exceeding
— dollars, at a rate of interest not exceeding —
per cent, for the purpose of constructing the additional
buildings proposed to be erected.

The Baltimore Hospital.
The joint committee further report, that they availed
themselves of the earliest opportunity, after visiting the
penitentiary, to turn their attention to the Baltimore Hos-
pital, and requested one of their members to wait upon
Doctor Mackenzie, the present occupant of the institution,
and apprise him of the object of their mission. The Doctor
expressed his satisfaction that the legislature had at last
thought proper to examine the establishment, and his rea-
diness to receive the committee, and afford them every fa-
cility in his power. In the course of conversation, he ac-
knowledged that the act of assembly of December session
1816, chapter 156, entitled, "An act to incorporate the
Maryland Hospital," had been disregarded and inopera-
tive. In consequence of this information, the committee
determined to investigate, and endeavour to ascertain,
whether the state had any legal right or title to the prop-
erty of the Baltimore Hospital. They were unwilling to be-
lieve that the general assembly would have so liberally ex-
tended its bounty to the institution, by donations to the
amount of fifty three thousand dollars, and by a
lottery, the receipts from which by the lessees amount-
ed to thirty thousand dollars more, without being sat-
isfied that they possessed some title to it, and a right
to regulate the management of an establishment so im-
portant to humanity. As soon as practicable, attested co-
pies were obtained from the land records of Baltimore
county of the deed of Jeremiah Yellott to the corporation of Bal-
timore, which is herewith presented for the examination of the
general assembly. It appears, from the inspection of the deed,
in connection with the act of assembly passed at December
session 1797, chapter 102, entitled, "An act to encourage the
establishment of a hospital for the relief of indigent sick persons,
and for the reception and cure of lunatics, that the city of Bal-
timore has the legal title to the hospital, but that the considera-
tion in the deed was probably paid by, and the first improvement,
as well as those of a later date, erected, by the bounty of the
state. Under these circumstances the committee instructed the
chairman to address a note to the mayor of the city of Baltimore
inviting a conference with the council upon the subject of the
hospital; accordingly a joint committee was appointed by the
two branches for the purpose. From this committee the infor-
mation was obtained, that the corporation had always claimed and
possessed the hospital in absolute property, and had leased it
by an ordinance passed in 1808, authorising a lease on certain
conditions to Doctors Mackenzie and Smyth, for the term of fif-
teen years, an attested copy of which lease, from the land re-
cords of Baltimore city, is herewith presented. And by a
subsequent ordinance the corporation agreed to extend the
lease, on certain conditions, to Doctors Mackenzie and son, but
it appears that the new lease, in pursuance of this ordinance, has
never been executed, and the present lessees are tenants at will.
Under these circumstances the committee were induced to suggest
to the joint committee of the two branches, that the Baltimore
hospital, so long fostered by the bounty of the state would neverthe-
less fail to attract the confidence of the community, or the con-
tributions of private munificence, so long as it remained a private
establishment. That were the right of property vested in the state,
to which she had at this time an equitable claim, and the govern-
ment of the institution subjected to the control of the general
assembly, there could be little doubt that the utility of it would
be greatly increased, and the responsibility of the visitors, for its
proper management, duly enforced. These suggestions, at the
request of the committee, were communicated to the two branch-
es, who acted upon them, and passed a resolution on the 25d

instant, a copy of which accompanies this report, proposing to
cede to the state upon certain terms, all the right, title and es-
tate of the corporation, in and to the property of the hospital.
The committee are induced to believe, that the several amounts
which may have been paid by the city towards the lot and build-
ings of the hospital, are very moderate, an account of which may
be procured in a few days, and they therefore recommend the
acceptance of the terms proposed by the resolution of the city
council.
It remains for the committee to notice the present condition
of the hospital, as it appeared to them during their visit made to
it on the invitation of Doctor Mackenzie; having no authority to
require or compel a disclosure of its internal management, the
examination was limited to the general view of the buildings,
and of such portion of the economy and police of the establish-
ment, as the lessee thought proper to present, and which did
not extend to the inspection of the books, (if any,) of the hospi-
tal, nor to the condition of those who were confined in the luna-
tic asylum.
The present number of the patients in the hospital is
reported to be fifty-six, twenty-six of whom are sick and
infirm seamen, supported by the United States at the rate of
fifty cents each per day; six from several counties of the
state placed there by the levy courts; at one hundred
dollars for each per annum; and the remainder are patients
in the lunatic asylum, or their relatives and friends.
The improvements, consisting of a large central building
and two wings, all necessary out offices, ice-house, &c. are
extensive, substantially constructed, and well enclosed by
a brick wall, and the ground within the enclosure, turf
with gravel walks, and shrubbery, a garden, formerly at-
tached to the institution, appears to have been neglected
or abandoned. The cost of these improvements, it is said,
has largely exceeded one hundred thousand dollars.
All which is respectfully submitted.
By order, James L. Milbourne, Com. Clk.

SATURDAY, March 3, 1827.
Messages were received, this day from the senate, by
their clerk, returning the bills, sent from this house for
concurrence, of the following titles, to wit:
An act to revive and extend the provisions of an act, en-
titled, "An act to provide for the appointment of commis-
sioners for the regulation and improvement of Salisbury in
Somerset and Worcester counties." And.
An act for the benefit of Hester Whitaker, and others,
the heirs and representatives of Alexander Whitaker, of
Montgomery county, deceased, severally endorsed, "will
pass." Also.
An act for the relief of Jacob Gitzendanner of Freder-
ick county, endorsed, "will pass with the proposed
amendment," which amendment was twice read, by a special
order, and assented to.
Whereupon, it was ordered, that the said bills be se-
verally engrossed. And.
An act to repeal part of an act, entitled, "An act to ap-
propriate certain lands to the use of the officers and sol-
diers of this state, and for the sale of vacant lands, passed
at November session 1781, endorsed, "will not pass."
And communicating bills, originated in, and passed by
the senate, entitled, "A further supplement to the act, en-
titled, "An act to incorporate a company to make a turnpike
road from the city of Baltimore to Havre de Grace." And,
An act for the relief of Sarah Henderson, of Montgom-
ery county, which were severally read the first time, and
referred, viz. the former to Messrs. Buchanan, Hope and
John W. Thomas, and the latter to Messrs. Lansdale, Pe-
ter and Edward Hughes.

MONDAY, March 5.
Messages were this day received from the senate, by
their clerk, returning the bills and resolution, sent from
this house for concurrence, of the following titles, to wit.
An act to authorise and empower the levy court of Fre-
derick county to levy a sum of money and rebuild a bridge
over Monocacy, on the road leading from Tany Town to
Emmitsburgh in said county.
An act supplementary to an act incorporating a compa-
ny to introduce a copious supply of water into the town of
Emmitsburgh, in Frederick county.
An act to authorise the levy court of Caroline county to
build a bridge and open certain roads in said county, and
for other purposes.
An act to change the road and divisional line between
Queen-Anne's and Caroline counties.
An act for draining the right prong of a branch in
Queen-Anne's county, known by the name of the Anlover
branch.
An act to rebuild or repair a bridge at Federalsburgh
between Dorchester and Caroline counties. And.
An act authorising Elizabeth R. Howard, of Montgom-
ery county, to convey a certain lot of land therein men-
tioned. Severally endorsed, "will pass." Also, An act to
change and alter the names of David Trundle and Hezekiah
Trundle, sons of John L. Trundle, of Montgomery
county, to David Henry Trundle and Hezekiah William
Trundle; endorsed, "will pass with the proposed amend-
ment." And, An act for the benefit of John Aisquith, the
administrator of Robert C. Aisquith, late of the city of
Baltimore, deceased; endorsed, "will pass with the pro-
posed amendment." The amendments proposed by the senate
to the bill last mentioned but one, and the amendments
proposed to the last mentioned bill, were severally read
the first, and, by a special order, the second time, and as-
sented to.
Also, a resolution authorizing the executive to have a
case placed in the chancery office to hold certain records,
endorsed, "assented to."
Whereupon, it was ordered, that the said bills and reso-
lution be severally engrossed. And.
An act to confirm and make valid two deeds, therein
mentioned; endorsed, "will not pass."
Also, communicating a bill, originated in, and passed
by the senate, entitled, "A supplement to the act, entitled,
"An act for regulating the mode of staying executions," and
for repealing the acts of assembly therein mentioned,
which was read the first time, and referred to Messrs.
Barnes, Tidball and Campbell.